

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHANE TAYLOR BURNS,

Plaintiff,

vs.

NDCS MENTAL HEALTH DEPT, TED HILL,
KRISTINA MILBURN, and JOAN RAFFETY,

Defendants.

8:23CV53

MEMORANDUM AND ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation recommending that the claims against defendant Ted Hill be dismissed without prejudice pursuant to Fed. R. Civ P. (4)(m). ([Filing No. 48](#)). There are no objections to the findings and recommendation.

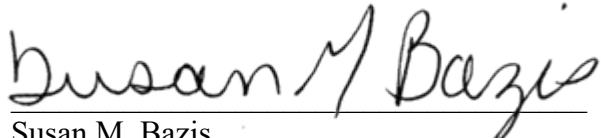
28 U.S.C. § 636(b)(1) provides for de novo review only when a party objected to the magistrate's findings or recommendations. *See Peretz v. United States*, 501 U.S. 923, 939 (1991). The failure to file an objection eliminates not only the need for de novo review, but *any* review by the Court. *Thomas v. Arn*, 474 U.S. 140, 149-51 (1985); *United States v. Wise*, 588 F.3d 531, 537 n.5 (8th Cir. 2009), *see Daley v. Marriott Int'l, Inc.*, 415 F.3d 889, 893 (8th Cir. 2005). Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation ([Filing No. 48](#)) are adopted.
2. Defendant Ted Hill is dismissed from this case without prejudice.

Dated this 18th day of November, 2024.

BY THE COURT:



Susan M. Bazis
United States District Judge